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August 31, 2023

Via ECFHon. Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street
New York NY 10079/11/2023
Demed.
CMRe: *United States v. Zvi Zigelman*, 23-cr-65

Dear Judge McMahon:

We write to respectfully request permission for Mr. Ziegelman to travel to Israel from September 13 to 19.

Mr. Zigelman, who is currently scheduled to be sentenced after a guilty plea on October 18, would like to be able to travel to Jerusalem to observe there the upcoming Jewish New Year (*Rosh Hashana*). Rosh Hashana this year begins on the evening of Sept. 15 and concludes the evening of the 17th.

Mr. Zigelman is a member of the Belz Hasidic sect, and like many Belz Hasidim, he travels to Israel every year to celebrate the holiday of *Rosh Hashana* with the Grand Rabbi of Belz, who lives in Jerusalem, and the broader Belz community. This is a very important religious observance for many Belz Hasidim generally, and Mr. Zigelman specifically. Given Mr. Zigelman's upcoming sentencing, it is of especial importance this year for Mr. Zigelman to be able to participate in the New Year's prayers with his Grand Rabbi and community, because in the Jewish tradition to which Mr. Zigelman ascribes, one's fate for the year is determined by God on Rosh Hashana.

Courts in this district have granted similar requests for international travel both to participate in religious observances and for other reasons. *See, e.g., United States v. Shmuel Abraham*, 20-cr-411 (RA), Dkt. # 123 (April 26, 2023) (granting, over the government's objection, permission to travel to Israel for a Jewish Holiday); *United States v. Yakov Ausch*, 22-cr-05 (JSR) (granting permission to travel to Hungary and Poland as part of a religious pilgrimage to certain synagogues and gravesites); *United States v. Kubitschuk*, 16-cr-711 (KBW), Dkt. # 37 (permitting travel to Austria and Slovakia to pray at gravesite of Rabbi Yehuda Assad); *United States v. Smilovitz*, 16-cr-818 (VB), Dkt. # 144 (permitting travel to Uman, Ukraine to make the pilgrimage to the grave of Rabbi Nachman of Breslov for Rosh Hashana); *United States v. Galanis*, 16-cr-371 (RA), Dkt. # 62 (S.D.N.Y.) (granting over government objection permission for the defendant to travel to Latvia with his wife for business purposes); *United States v. Rimberg*, 15-cr-835 (JGK), Dkt. # 68 (S.D.N.Y.) (permitting

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defendant to travel after guilty plea along with his wife to Israel for business and to France for Passover).

If the Court grants this request, Mr. Zigelman will provide a full itinerary to his pretrial officer. I have spoken to Mr. Zigelman's pre-trial officer, who takes no position on this request, and the assigned AUSA, who opposes it.

We therefore respectfully request that the Court so-order this letter motion and allow Mr. Zigelman to travel to Israel from September 13 to 19, as well as order the temporary return of his passport. Mr. Zigelman would re-surrender his passport to Pre-Trial within 48 hours of returning to America.

Respectfully submitted,

/s/

Gedalia M. Stern

cc: AUSA Emily Deininger (via ECF)